

NO. \_\_\_\_\_

APPELLATE COURT CAUSE NO. 03-17-00803-CR

FILED  
COURT OF CRIMINAL APPEALS  
7/17/2019  
DEANA WILLIAMSON, CLERK

IN THE COURT OF CRIMINAL APPEALS

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THE STATE OF TEXAS,  
Appellant (Appellee below)

VS.

MICHAEL JOSEPH TILGHMAN,  
Appellee (Appellant below)

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**STATE'S MOTION TO SUPPLEMENT ITS PETITION FOR DISCRETIONARY  
REVIEW**

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FROM THE COURT OF APPEALS FOR THE THIRD DISTRICT AT AUSTIN  
ORIGINAL APPEAL FROM THE 274TH JUDICIAL DISTRICT COURT, HAYS  
COUNTY, TEXAS, TRIAL COURT CAUSE NO. CR-16-1126

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Michael C. McCarthy  
Assistant Criminal District Attorney  
712 South Stagecoach Trail, Suite 2057  
San Marcos, Texas 78666  
State Bar No. 24065704  
Attorney for the State of Texas  
michael.mccarthy@co.hays.tx.us

**TO THE HONORABLE JUDGES OF THE COURT OF CRIMINAL  
APPEALS:**

The State files this Motion to Supplement its Petition for Discretionary Review,  
and in support states:

1. The State's Petition for Discretionary Review was filed on July 3, 2019.
2. Since that date, the State discovered additional cases that would be helpful for this Court to consider in determining the merits of the State's Petition.
3. The State hereby requests leave to supplement its Petition for Discretionary Review with a supplemental brief containing this additional case law under Rule 68.10 and Rule 70.4, Texas Rules of Appellate Procedure.

Respectfully submitted,

By: 

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Michael C. McCarthy  
Criminal District Attorney  
712 South Stagecoach Trail, Suite 2057  
San Marcos, Texas 78666  
State Bar No. \_\_\_\_ 24065704 \_\_\_\_\_  
Attorney for the State of Texas  
[michael.mccarthy@co.hays.tx.us](mailto:michael.mccarthy@co.hays.tx.us)

**CERTIFICATE OF SERVICE**

I certify that a true copy of the foregoing brief has been email-delivered to:

**Paul Evans** via e-service: \_\_\_\_\_ on this the \_\_\_\_\_ day of  
July, 2019.



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Michael C. McCarthy  
Asst. Criminal District Attorney